

CALL TO ORDER

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Matt Severino, William Bischoff, Patricia Dziubek, Frank Mazza

Absent: Rob Haynes

Others Present: J. Peter Jost, Esq., John Reymann, Twp. Engineer, Members of the Union Twp. Planning Board, Grace Kocher, Planning Bd. Secretary, Stuart Koenig, Special COAH Counsel, Mary Beth Lonergan from the Twp. Planner’s Office, Steve Balzano, Environmental Consultant and Ella M. Ruta, Township Clerk.

Mr. Jost swore in Committeeman William F. Bischoff after he had been elected on November 4, 2008 for the unexpired term.

APPROVAL OF MINUTES

- a. Regular and Executive Session Meeting Minutes October 15, 2008.

Mr. Bischoff made the following amendment to the October 15th Executive Session Minutes: instead of “for at least six months”, it should read “for the next six months” and take out reference to the pay.

Mr. Severino made a motion to approve October 15th regular meeting minutes and Executive Session Minutes as amended. Mrs. Dziubek seconded the motion. . Vote – Ayes; Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Atty. Jost asked Brian Kirkpatrick, Chairman of Union Township Planning Board/Board of Adjustments to open a special joint meeting of Union Township Planning Board and Union Twp. Committee. He asked the meeting minutes reflect that the adequate notice of this joint meeting has been provided by publication in the Hunterdon County Democrat, Courier News, posted on the public bulletin board and filed with the Township Clerk.

Atty. Jost announced that at this time the Township Committee and UT Planning Board will commence the joint part of the meeting. The following resolution was introduced for adoption:

RESOLUTION #2008-165

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

7. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on November 5, 2008, at 7:05 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bischoff made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At 8:50 pm, Mr. Severino made a motion to come out of the Executive Session. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At this time, the joint meeting with the Union Twp. Planning Board adjourned.

PUBLIC HEARING ON THE UNION TWP. COMPREHENSIVE FARMLAND PRESERVATION PLAN DRAFT

Barbara Heskins Davis, Vice-President for Programs for the Land Conservancy of New Jersey, stated that the company was hired to develop the Farmland Preservation Plan for the Township. She said that the primary purpose of developing the plan is to provide a vision and strategy for the preservation of agricultural resources. Ms. Davis added that this Plan will also prioritize farmland for preservation based upon input from local farmland owners, residents, municipal officials, municipal boards and committees. It will conform to the updated State Agriculture Development Committee (SADC) guidelines and can be used by the Township to apply for funding from the State of New Jersey through the Planning Incentive Program. In addition, the Plan is a requirement for eligibility into the Program. Due date for submission of the Draft Plan is December 15, 2008. Two Public Hearings are required and tonight the Township is holding its first public hearing.

Ms. Davis presented framework of the Farmland Planning Process that included general overview of the plan. She also presented and gave a brief explanation of the farmland maps as well as identified project areas and land preservation goals specific to our municipality.

Neil Davis, Twp. Resident, asked if the application for the PIG grant could be amended after submission. Ms. Davis said that it is possible and provided details of the process. Mr. Davis commended Ms. Davis on her knowledge on the subject and presentation.

Mr. Severino asked how the Highlands regulations and zoning would affect evaluation of properties for funding. Ms. Davis said that SADC is apprising and evaluating properties based on 2004 Highlands and zoning regulations.

Mrs. Dziubek made a motion to close the Public Hearing on the Draft Comprehensive Farmland Preservation Plan. Mr. Severino seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

OUT OF AGENDA ORDER

The following resolution was introduced for adoption:

RESOLUTION 2008-166
Approving Statement of Consent To
Proposed Flow Equalization Tank For
Union Township School Wastewater Treatment Plant

WHEREAS, the Union Township Board of Education, County of Hunterdon, State of New Jersey has requested that the Union Township Governing Body approve singular a Statement of Consent for a proposed flow equalization tank, to be constructed at the existing Wastewater Treatment Plant located at the Union Township Middle School and servicing the two (2) Union Township schools; and

WHEREAS, the Township Committee has heard and considered the presentation of Theodore H. Bayer, P.E. on behalf of the Union Township School, and good cause appearing;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that this governing body consents to the application on behalf of the Union Township Board of Education for the proposed equalization tank to be constructed at the existing Wastewater Treatment Plant located at the Union Township Middle School; and

BE IT FURTHER RESOLVED that the governing body of the Township of Union authorizes the Mayor to sign form WQM-003 A-1, Statement of Consent, and submission of the application to the New Jersey Department of Environmental Protection for approval, and further certifies that the project as proposed conforms with the requirements of all municipal ordinances; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Theodore H. Bayer, P.E., Engineer hired by the Board of Education to prepare a design plan and obtain the permit for upgrade to the Union Township Schools Wastewater Treatment Facility presented the Committee with drawings on the proposed flow equalization tank. He explained the drawings in detail. Mr. Bayer asked the Committee to endorse the Statement of Consent required for TWA permit from NJ DEP.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

VISITORS

REPORTS RECEIVED

- a. Road Dept.- Week Ending 10/10/08; 10/17/08; 10/24/08
 - Purchased a new generator for the garage
 - Prior request for Equipment Inventory report has not been submitted
- b. Tax Collector – September 2008
- c. Environmental Commission – Michele McBride

MINUTES OF REGULAR MEETING November 5, 2008

- Hoffman House - asked for funding (\$500) to repair the foundation under the side of the front porch that is leaking water into the basement.
- Mentioned the necessity for winterizing the Hoffman house. Ms. McBride said if that is not feasible at this time, immediate steps have to be taken to prepare the house for winter that would also require monies.
- Douglas Farm - Asked that the UT Road Dept., on a time available basis, cut the poison ivy along with the trees growing through the foundation. Ms. McBride will coordinate with Mr. Hermann, Rd. Foreman.
- Ms. McBride stated that it is not feasible to rent the white apartment building at present time.

After an extended discussion, **Mrs. Dziubek made a motion to approve winterizing the Hoffman House and located nearby white apartment building that is connected through water and sewer lines. The amount for winterizing is not to exceed \$2, 500.00, subject to availability of funds. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.**

Mr. Bischoff made a motion to approve repairs to the foundation at the Hoffman House in the amount not to exceed \$500.00, subject to availability of funds. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mrs. Dziubek asked that Mr. Scott W. Howarth, who was interested in renting the white apartment building on the Hoffman property, be notified that at the present time the apartment is not ready to be rented. The Clerk was instructed to contact Mr. Howarth by telephone regarding this matter.

CORRESPONDENCE

Mr. Bischoff mentioned the following:

- Asked that the Bethlehem Twp. Zoning Fee Ordinance be copied for Mr. Brian Kirkpatrick, Chairman of the Planning Board.
- Correspondence from Government Process Solutions LLC asking Union Township to support resolution regarding 2008 Municipal Revenue Restoration Act. The resolution was tabled at this time.

Mr. Severino mentioned the following:

- Public Notice regarding Petition of Applied Wastewater Management, Inc., for Approval of Increased Tariff Rates and Charges for Water and Sewer Service and Other Tariff Revisions.
- Passing of an Assembly Bill A-1645 mandating municipalities to appoint Qualified Purchasing Agent. Atty. Jost stated that the bill now goes to the Senate for approval.

Mrs. Dziubek mentioned the following:

- Correspondence from Highlands Council with resolution “Notice of Intent to Petition the Highlands Council for Plan Conformance”. Mrs. Dziubek would like the resolution to be considered at the next Committee meeting.
- A resolution from Township of Raritan “Supporting a Partnership for Mass Transit and Rail in Hunterdon and Somerset Counties”. No action by the Committee was taken.

PUBLIC COMMENTS - None

PUBLIC HEARING – 2nd reading

ORDINANCE NO. 2008-7

**AN ORDINANCE OF THE TOWNSHIP OF UNION,
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY ESTABLISHING
AN AGRICULTURAL ADVISORY COMMITTEE**

Mrs. Dziubek made a motion to open the public hearing. Mr. Severino seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

There being no questions/comments from the public, Mrs. Dziubek made a motion to close the public hearing. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mrs. Dziubek made a motion to adopt Ord. #2008-7 on 2nd reading. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

OLD BUSINESS

- a. **RESOLUTION #2008-** : 2008-2009 Liquor License Renewal – Pattenburg House

Matter tabled - No Tax Clearance Certificate

- b. **Motion** – Cozze Bros, LLC; 2008 Junkyard License Renewal Application

Matter tabled until tires have been removed from the junkyard site.

- c. **Discussion/Motion** – Proposal from Scott Howarth to rent an apartment at the Hoffman property.

Discussed earlier at the meeting.

- d. The following resolution was introduced for adoption:

**RESOLUTION #2008-167
Approving Partial Consent Decree
Re: Combe Fill South Litigation**

BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Draft Partial Consent Decree Between Plaintiffs, United States of America, New Jersey Department of Environmental Protection and Administrator of the New Jersey Spill Compensation Fund, and Settling Defendants, Settling Federal Agencies, and Settling Municipal Group Parties, dated October 16, 2008, is hereby approved, and the legal representative of the Municipal Group Parties is hereby authorized to sign such Consent Decree in substantially the same form as said 10/16/08 Draft, on behalf of the Township of Union.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

e. The following resolution was introduced for adoption:

RESOLUTION #2008-168
Approving Confidential Escrow Agreement
Re: Combe Fill South Litigation

BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Confidential Escrow Agreement for Municipal Group Signatures and Settlement Payments and Authorization for Purchase of the Annuity Contract for the Settlement of the Combe Fill South Litigation, dated October 16, 2008 ("Agreement"), is hereby approved, and the Mayor and Clerk are hereby authorized to sign same on behalf of the Township of Union.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Mr. Bischoff made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #2008-169

UNION TOWNSHIP, HUNTERDON COUNTY
INTERLOCAL HEALTH SERVICES AGREEMENT

WHEREAS, The State of New Jersey requires the Municipality, through its Board of Health, to provide certain public health activities and services in accordance with N.J.S.A. 26:1A-15 and N.J.S.A. 26:3A2-1 et seq., and

WHEREAS, the furnishing of these public health activities and services require the employment of technical and professional personnel, and

WHEREAS, most municipalities in Hunterdon County do not have the financial ability to employ on their own accord sufficient professional staff to provide the public health activities and services required by the State of New Jersey, it is apparent that such activities and services can be more efficiently provided on a regional basis, and

WHEREAS, the County is prepared to provide certain public health activities and services to the Municipality through the County Health Department, and

WHEREAS, the Municipality desires to contract with the County for the furnishing of those services to be performed for and on behalf of the Board of Health of the Municipality, and

NOW, THEREFORE BE IT RESOLVED, in consideration of the facts set forth above and the mutual promises, covenants and conditions contained in the Interlocal Health Services Agreement that the Township Committee of the Township of Union authorizes the Mayor and Clerk to execute the Interlocal Health Services Agreement.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

b. The following resolution was introduced for adoption:

**RESOLUTION 2008 - 170
CONFIRMATION OF PATTENBURG FIREFIGHTER APPOINTMENT**

WHEREAS, Chief Daniel VanFossen has supplied the 2008 roster of volunteer firefighters,

WHEREAS, Chief Van Fossen has submitted a new member application for Mr. William F. Hardenburg,

NO THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union does hereby accept this application and appoints Mr. William F. Hardenburg as a new active member of the Pattenburg Fire Company.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

c. The following resolution was introduced for adoption:

RESOLUTION #2008-171

Resolution to award a contract in excess of \$21,000, pursuant to a Cooperative Purchasing Agreement and N.J.A.C. 5:34-7.11 for rock salt.

WHEREAS, The Township of Union is a member of Cooperative Pricing Unit, and;

WHEREAS, the Hunterdon County Board of Chosen Freeholders has awarded a Master Contract to Atlantic Salt, Inc. (Rock Salt) to provide rock salt for the County and members of the Cooperative Pricing System for Snow and Ice Control Materials Bid No. 2008-35 for the 2008-2009 season, said contract period being from November 12, 2008 to November 11, 2009; and

WHEREAS, the price (Rock Salt) agreed upon by contract is \$67.80 per ton; and

WHEREAS, pursuant to N.J.A.C. 5:34-7.11, the Township of Union desires to authorize the award of a contract which exceeds the bid threshold (\$21,000) under the master contract awarded by the County, as a member participant.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey as follows:

1. The Township hereby authorizes its purchasing agent to purchase rock salt pursuant to the master contract awarded by the Board of Chosen Freeholders to Atlantic Salt, Inc. referenced above, and each such purchase order shall bear the identification code of 51-HCCPS, and said identification number shall be shown on all forms pertaining thereto.
2. This resolution shall become effective immediately.

Mr. Severino made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

d. The following resolution was introduced for adoption:

Resolution #2008-172

**UNION TOWNSHIP, HUNTERDON COUNTY
APPROPRIATION TRANSFER(S)**

Be it resolved by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2008 Budget in the following accounts:

TO: Legal Service OE	10515520	\$15,000.00
Gasoline	10546020	2,500.00
Computerized Data Processing	10514020	1,000.00
General Admin. OE	10510020	5,000.00
		\$23,500.00

WHEREAS, the following account(s) have sufficient excess funds to meet such demands:

FROM: Employee Group Insurance	10522020	\$16,500.00
General Admin. S & W	10510010	5,000.00
Municipal Clerk S & W	10512010	2,000.00
		\$23,500.00

BE IT RESOLVED that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the transfer(s) required to meet the obligations of Union Township.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Severino seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

e. The following resolution was introduced for adoption:

**RESOLUTION 2008-173
ESCROW REFUND
Application No. 2008-3
Louis Follo, Bergen Associates
401 East 80th Street, Apartment 34E
New York, NY 10075**

WHEREAS, Louis Follo posted an escrow account for planning board application 2008-03, and

WHEREAS, the application has been withdrawn, and

WHEREAS, there is a remaining balance of \$1,500.00 in the escrow account

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$1,500.00 be refunded to Louis Follo.

Mr. Bischoff made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

f. The following resolution was introduced for adoption:

**RESOLUTION #2008 - 174
RISK MANAGEMENT CONSULTANT**

WHEREAS, The Township of Union has resolved to join the Public Alliance Insurance Fund ("PAIC") following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee.

NOW THEREFORE, BE IT RESOLVED that the Township of Union does hereby appoint Christopher C. Tarricone of Wells Fargo Insurance Services as its Risk Management Consultant in accordance with the Fund's Bylaws.

Mr. Severino made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

g. The following resolution was introduced for adoption:

**RESOLUTION #2008-175
UNION TOWNSHIP, HUNTERDON COUNTY**

2008 AWARD OF CONTRACT OF PROFESSIONAL SERVICES FOR BOND COUNSEL

**Anthony J. Pannela, Jr., Esq. and Lillian Plata, Esq.
of the Firm Wilentz Goldman & Spitzer P.A.**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and issuance of bonds or notes of the Township of Union (the "Township") in the Township of Union, County of Hunterdon, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by a recognized Bond Counsel firm, and the law firm of WILENTZ GOLDMAN & SPITZER P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey, 07095-0958, is so recognized by the financial community; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union as follows:

1. The law firm of Wilentz Goldman & Spitzer P.A., Woodbridge, New Jersey, is hereby retained to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds or notes by the Township of Union in accordance with an Agreement;

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.

3. POLITICAL CONTRIBUTION DISCLOSURE. This contract has been awarded to professional based on the merits and abilities of professional to provide the goods and services as described herein. This contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the professional does hereby attest that professional, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement commission pursuant to N.J.S.A.19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

4. A copy of this Resolution as well as the Contract shall be placed on file with the Clerk of the Township of Union.

5. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in the Hunterdon Democrat.

After a brief discussion, Mrs. Dziubek made a motion to adopt the above resolution with the amendment changing the resolution title to read "2008" replacing "2007-2008" and that the contract and services rendered are approved for the year 2008 only. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

REPORTS

a. **Engineer's Report** – a copy of the report has been submitted

- Van Syckel's Road Improvement Contract – waiting on payment from NJ DOT.
- Cozze Junkyard – Waiting for the tires by the stream to be cleaned up.
- 23 Perryville Road Drainage – no objection letter was received from the owner of the property to perform the necessary work to restore the drainage swale.
- On October 27th attended a meeting regarding the Wastewater Management Plan (WMP). Hunterdon County is the Wastewater Management Agency and each municipality is a chapter on this plan. The municipal portion of the plan must be submitted by April 7, 2009.
There is an immediate need to establish a Municipal WMP Advisory Committee to oversee preparation of the Township of Union portion of this WMP.
Next meeting is scheduled for December 3, 2008.
- Van Syckel Corner Rd. and Coachmen Dr. – waiting on the property owner to sign the drainage easement.
- The Union Twp. Environmental Commission's Annual Stormwater Education Event will take place next Tuesday, November 11th at 7:00 pm.

b. **Attorney's Report** – Mr. Jost reported the following:

- Prepared a letter to Governor Corzine to postpone COAH filing requirements until next year.

Mrs. Dziubek made a motion to authorize the Mayor to sign and send the letter in the form presented to the Committee. Mr. Severino seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

c. Mayor's Report – Mr. Mazza reported the following

- Asked for two volunteers for Wastewater Management Plan Advisory Committee. Mayor Mazza stated that the Planning Board is going to be represented by Alan Ford and Kathy Corcoran. Engineer John Reymann and Environmental Consultant Steve Balzano will be professional members. William Bischoff, Matt Severino and Mrs. Dziubek, as an Alternate, volunteered to represent the Township Committee.

d. Committee Report

Mr. Bischoff reported the following:

- Had matters for Executive Session

Mr. Severino reported the following:

- The Township started single stream recycling. No problems or issues thus far.

Mrs. Dziubek reported the following:

- Was contacted by the Township's website manager regarding number of hits to our website. Mrs. Dziubek said that it is low. She will provide a report for the next meeting.

e. Clerk's Report

- Requested the Committee to confirm they had received e-mail advising them of Clerk's vacation days.

PUBLIC COMMENTS

Brian Kirkpatrick, Chairman of the Planning Board, announced that at tonight's special meeting of the Planning Board the Site Plan for Pilot Travel Centers LLC was approved. Consequently, the lawsuits against the Planning Board and the Township are going to be dismissed.

PAYMENT OF THE BILLS

Mrs. Dziubek moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

EXECUTIVE SESSION

The following resolution was introduced for adoption:

RESOLUTION #2008-176
Providing for a Meeting Not Open to the Public in Accordance with the
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

7. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
8. _____ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on November 5, 2008, at 10:30 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Severino seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At 10:45 pm, Mr. Bischoff made a motion to come out of the Executive Session. Mrs. Dziubek seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

After returning to open session of the meeting, Mr. Bischoff stated that he will be contacting Mrs. Cupon, Court Administrator, regarding the transition of the UT Municipal Court to Shared Services Court with Clinton Township.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:45 p.m.

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk